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7 **UNITED STATES DISTRICT COURT**  
8 **EASTERN DISTRICT OF WASHINGTON**

9 P. DALE DESKINS,

10 Plaintiff,

11 vs.

Case No.: **C08-049-LRS**

ANSWER AND AFFIRMATIVE  
DEFENSES FOR DEFENDANT  
PAUL WASSON

12 ASSOCIATED CREDIT SERVICES,  
13 INC., A WASHINGTON  
14 CORPORATION; ERIC SOLBERG, ET  
15 UX., INDIVIDUALLY AND HIS  
16 MARITAL COMMUNITY, AND AS  
17 AN OFFICER OF ASSOCIATED  
18 CREDIT SERVICES, INC., A  
19 WASHINGTON CORPORATION; JON  
20 M. SOLBERG, ET UX.,  
21 INDIVIDUALLY AND HIS MARITAL  
22 COMMUNITY, AND AS AN OFFICER  
23 OF ASSOCIATED CREDIT  
24 SERVICES, INC., A WASHINGTON  
25 CORPORATION; DAVID M.  
SOLBERG, ET UX., INDIVIDUALLY  
AND HIS MARITAL COMMUNITY,  
AND AS AN OFFICER OF  
ASSOCIATED CREDIT SERVICES,  
INC., A WASHINGTON  
CORPORATION; AND PAUL J.  
WASSON, , ET UX., INDIVIDUALLY

ANSWER AND AFFIRMATIVE DEFENSES FOR  
DEFENDANT PAUL WASSON - 1

1 AND HIS MARITAL COMMUNITY,  
2 AND AS AN ATTORNEY, OWNER,  
3 AND/OR OFFICER OF ASSOCIATED  
4 CREDIT SERVICES, INC., A  
WASHINGTON CORPORATION;  
Defendants.

5  
6 COMES NOW Defendant Paul Wasson without waiving any objections,  
7 rights, and defenses relating to jurisdiction and process, hereby answers Plaintiff's  
8 complaint as follows:  
9

10 I. ANSWER

11 1.1 Defendant Paul Wasson admits this is an action for damages and  
12 remedies against the defendant pursuant to the named statutes, and denies liability,  
13 and denies the remaining allegations contained in Paragraph 1 of Plaintiff's  
14 Complaint.  
15

16 1.2 Defendant Paul Wasson admits this Court has jurisdiction over  
17 claims under the Fair Debt Collection Practices Act, 15 USC § 1692 et seq.  
18 (FDCPA), and Fair Credit Reporting Act, 15 USC § 1681 et seq. (FCRA), and  
19 that this court could accept supplemental jurisdiction on claims under the  
20 Washington Consumer Protection Act, RCW 19.86 et seq. (WCPA), and the  
21 Washington Collection Agency Act, RCW 19.16 et seq. (WCAA), but denies  
22 liability under the same, and, by that reason there is no subject matter jurisdiction,  
23  
24

25 ANSWER AND AFFIRMATIVE DEFENSES FOR  
DEFENDANT PAUL WASSON - 2

1 and, therefore, denies the remaining allegations contained in Paragraph 2 of  
2 Plaintiff's Complaint.

3 1.3 Defendant Paul Wasson admits plaintiff resides within the \_\_\_\_\_  
4 jurisdiction of this Court, and that venue is proper in this District, and denies the  
5 remaining allegations contained in Paragraph 3 of Plaintiff's Complaint.  
6

7 1.4 Defendant Paul Wasson admits the allegations contained in  
8 Paragraph 4 of Plaintiff's Complaint.  
9

10 1.5 Defendant Paul Wasson is without specific knowledge to admit or  
11 deny who the officers of Associated Credit Services are and admits Associated  
12 Credit Services has transacted business in this District, and denies the remaining  
13 allegations contained in Paragraph 5 of Plaintiff's Complaint.  
14

15 1.6 Defendant Paul Wasson admits he is an attorney for Associated  
16 Credit Services, and that he resides in this District, and that he has transacted  
17 business on behalf of Associated Credit Service in this District, and denies the  
18 remaining allegations contained in Paragraph 6 of Plaintiff's Complaint.  
19

20 1.7 Defendant Paul Wasson denies he is a debit collector as defined by  
21 cited statutes and lacks sufficient information to admit or deny as to the allegations  
22 made against remaining defendants in Paragraph 7 of Plaintiff's Complaint.  
23

24 1.8 Defendant Paul Wasson admits a version of the FDCPA became  
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ANSWER AND AFFIRMATIVE DEFENSES FOR  
DEFENDANT PAUL WASSON - 3

1 effective in 1978, and denies the remaining allegations contained in Paragraph 8 of  
2 Plaintiff's Complaint.

3 1.9 Defendant Paul Wasson admits the term "consumer" is defined at 15  
4 USC § 1692a(5), and denies the remaining allegations contained in Paragraph 9 of  
5 Plaintiff's Complaint.

6 1.10 Defendant Paul Wasson lacks sufficient information to admit or deny  
7 the allegations made in Paragraph 10 of Plaintiff's Complaint, and, therefore,  
8 denies the same.

9 1.11 Defendant Paul Wasson denies the allegations made in Paragraph 11  
10 of Plaintiff's Complaint.

11 1.12 Defendant Paul Wasson denies the allegations made in Paragraph 12  
12 of Plaintiff's Complaint.

13 1.13 Defendant Paul Wasson denies the allegations made in Paragraph 13  
14 of Plaintiff's Complaint.

15 1.14 Defendant Paul Wasson denies the allegations made in Paragraph 14  
16 of Plaintiff's Complaint.

17 1.15 Defendant Paul Wasson denies the allegations made in Paragraph 15  
18 of Plaintiff's Complaint.

19 1.16 Defendant Paul Wasson denies the allegations made in Paragraph 16

20 ANSWER AND AFFIRMATIVE DEFENSES FOR  
21 DEFENDANT PAUL WASSON - 4  
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1 of Plaintiff's Complaint.

2 1.17 Defendant Paul Wasson denies the allegations made in Paragraph 17  
3 of Plaintiff's Complaint.  
4

5 1.18 Defendant Paul Wasson denies the allegations made in Paragraph 18  
6 of Plaintiff's Complaint.

7 1.19 Defendant Paul Wasson denies the allegations made in Paragraph 19  
8 of Plaintiff's Complaint.  
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10 1.20 Defendant Paul Wasson denies the allegations made in Paragraph 20  
11 of Plaintiff's Complaint.

12 1.21 Defendant Paul Wasson denies the allegations made in Paragraph 21  
13 of Plaintiff's Complaint.  
14

15 1.22 Defendant Paul Wasson denies the allegations made in Paragraph 22  
16 of Plaintiff's Complaint.

17 1.23 Defendant Paul Wasson denies the allegations made in Paragraph 24  
18 of Plaintiff's Complaint.  
19

20 1.24 Defendant Paul Wasson denies the allegations made in Paragraph 25  
21 of Plaintiff's Complaint.

22 1.25 Defendant Paul Wasson denies the allegations made in Paragraph 26  
23 of Plaintiff's Complaint.  
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25 ANSWER AND AFFIRMATIVE DEFENSES FOR  
DEFENDANT PAUL WASSON - 5

1 1.26 Defendant Paul Wasson denies the allegations made in Paragraph 25  
2 of Plaintiff's Complaint.

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4 1.27 Defendant Paul Wasson denies the allegations made in Paragraph 26  
5 of Plaintiff's Complaint.

6 1.28 Defendant Paul Wasson denies the allegations made in Paragraph 27  
7 of Plaintiff's Complaint.

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9 1.29 Defendant Paul Wasson denies the allegations made in Paragraph 28  
10 of Plaintiff's Complaint.

11 1.30 Defendant Paul Wasson denies the allegations made in Paragraph 29  
12 of Plaintiff's Complaint.

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14 1.31 Defendant Paul Wasson denies the allegations made in Paragraph 30  
15 of Plaintiff's Complaint.

16 1.32 Defendant Paul Wasson denies the allegations made in Paragraph 31  
17 of Plaintiff's Complaint.

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19 1.33 Defendant Paul Wasson denies the allegations made in Paragraph 32  
20 of Plaintiff's Complaint.

21 1.34 Defendant Paul Wasson denies the allegations made in Paragraph 33  
22 of Plaintiff's Complaint.

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24 1.35 Defendant Paul Wasson denies the allegations made in Paragraph 34

25 ANSWER AND AFFIRMATIVE DEFENSES FOR  
DEFENDANT PAUL WASSON - 6

1 of Plaintiff's Complaint.

2 1.36 Defendant Paul Wasson denies the allegations made in Paragraph 35  
3 of Plaintiff's Complaint.  
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5 1.37 Defendant Paul Wasson denies the allegations made in Paragraph 36  
6 of Plaintiff's Complaint.

7 1.38 Defendant Paul Wasson denies the allegations made in Paragraph 37  
8 of Plaintiff's Complaint.  
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10 1.39 Defendant Paul Wasson denies the allegations made in Paragraph 38  
11 of Plaintiff's Complaint.

12 1.40 Defendant Paul Wasson denies the allegations made in Paragraph 39  
13 of Plaintiff's Complaint.  
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15 1.41 Except as so admitted, Defendant Paul Wasson denies each and every  
16 allegation in Plaintiff's Complaint.

## 17 II. AFFIRMATIVE DEFENSES

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19 Having answered Plaintiff's complaint, Defendant Paul Wasson alleges the  
20 following affirmative defenses.

21 2.1. **Failure to State Claims.**

22 2.2. **Lack of Personal Jurisdiction.**

23 2.3. **Lack of Subject Matter Jurisdiction.**  
24

25 ANSWER AND AFFIRMATIVE DEFENSES FOR  
DEFENDANT PAUL WASSON - 7

1       2.4.   Statute of Limitations.

2       2.5.   Claim Preclusion.

3       2.6.   Issue Preclusion.

4       2.7.   Bonafide Error.

6                               III. PRAYER

7       Wherefore, having fully answered Plaintiff's complaint, having interposed  
8       affirmative defenses, Defendant Paul Wasson prays for the following relief:  
9

10       3.1.   Dismissal of the Action with prejudice, and with costs and attorney  
11       fees to Defendant.

12       3.2.   For such other and further relief as may be provided by law.

13       Dated   November 12, 2008.

14                               LAW OFFICE OF  
15                               J. GREGORY LOCKWOOD, P.L.L.C.

16                               /s/ J. Gregory Lockwood

17                               J. GREGORY LOCKWOOD, WSBA 20629

18                               Attorney for Defendant WASSON

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25       ANSWER AND AFFIRMATIVE DEFENSES FOR  
      DEFENDANT PAUL WASSON - 8



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CERTIFICATE OF SERVICE

I, J. GREGORY LOCKWOOD, hereby certify that on November 12, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following: \_\_\_\_\_, and I hereby certify that I have mailed by United State Postal Service the document to the following non-CM/ECF participants: P. Dale Deskins, 12128 North Division, #136, Spokane, WA 99201; Associated Credit Services, ATTN: Eric M. Solberg, Jon M. Solberg, and David M. Solberg, 12815 E. Sprague Spokane, WA 99216.

/s/ J. Gregory Lockwood

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